

- 839.1116 If, because of the change in my retirement coverage, I will owe larger deposits for military and civilian service credit, will I have to pay the additional deposit due or will OPM actuarially reduce my annuity?
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- 839.1118 Will my annuity be actuarially reduced because I had Government contributions in my TSP account?
- 839.1119 How is the actuarial reduction for TSP computed?

SURVIVOR BENEFITS

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Subpart L—Discretionary Actions by OPM

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Subpart M—Appeal Rights

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Subpart A—General Provisions

839.101 What is the Federal Erroneous Retirement Coverage Corrections Act?

(a) The Federal Erroneous Retirement Coverage Corrections Act (FERCCA) is Title II of Public Law 106-265, enacted September 19, 2000. The FERCCA addresses the problems created when employees are in the wrong retirement plan for an extended period.

(b) Generally, you must be in the wrong retirement plan for at least 3 years of service after December 31, 1986, before the FERCCA applies to you. Depending on the type of error, the FERCCA provides:

- (1) A choice between retirement plans,
- (2) New rules for crediting civilian and military service that was not subject to retirement deductions,
- (3) Payment of lost earnings on employee make-up contributions to the Thrift Savings Plan, and
- (4) Payment of certain out-of-pocket expenses that are a direct result of a retirement coverage error.

839.102 Definitions.

Agency means an executive agency as defined in section 105 of title 5, United States Code; a legislative branch agency; a judicial branch agency; and the U.S. Postal Service and Postal Rate Commission.

Agency automatic (1%) contributions means contributions made to a FERS participant's Thrift Savings Plan account by his or her employing agency under 5 U.S.C. 8432(c)(1) or (c)(3).

Agency matching contributions means contributions made to a FERS participant's Thrift Savings Plan account by his or her employing agency under 5 U.S.C. 8432(c)(2).

Annuitant means the same as *Retiree*. *Basic Employee Death Benefit or BEDB* means the FERS survivor benefit payable as a lump sum or over 36 months, described in § 843.309 of this chapter.

Board means the Federal Retirement Thrift Investment Board established under 5 U.S.C. 8472.

CSRS means the Civil Service Retirement System, as described in subchapter III of chapter 83 of title 5, United States Code.